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STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

1315 W. 4th Avenue • Kennewick, Washington 99336-6018 • (509) 735-7581

July 19, 2000

Mr. Keith Klein  
U.S. Department of Energy  
P.O. Box 550, MSIN: A7-50  
Richland, Washington 99352

Mr. Michael Hughes  
Bechtel Hanford, Inc.  
3350 George Washington Way, MSIN: H0-04  
Richland, Washington 99352

**RECEIVED**  
AUG 10 2000  
**EDMC**

Dear Messrs. Klein and Hughes:

Re: Clarification of the Washington State Department of Ecology February 23, 2000,  
Inspection Close Out Letter

The Washington State Department of Ecology (Ecology) conducted an inspection of the 271-U 90-day accumulation area on September 16, 1999. On November 17, 1999, Ecology issued a Notice of Correction (NOC #99NWPKW-19) to the U.S. Department of Energy (USDOE) and Bechtel Hanford, Inc. (BHI) citing violations of dangerous waste regulations and corrective measures for their remedy. On February 23, 2000, Ecology issued a letter to USDOE and BHI conditionally accepting their corrective actions and closing out the inspection. 52316

BHI representatives have since requested clarification to the conditions described in Ecology's February 23<sup>rd</sup> letter. To that end, Ecology has met with BHI representatives. This letter provides the requested clarifications to Ecology's February 23<sup>rd</sup> letter and reflects the discussions between Ecology and BHI. Please refer to Ecology's February 23, 2000, inspection close out letter to reference the clarifications given below. 52570

Ecology's February 23<sup>rd</sup> letter described conditions for the use of process knowledge when used to designate waste as dangerous or extremely dangerous waste. The February 23<sup>rd</sup> letter provided a bulleted list of specific conditions of concern when using process knowledge to make waste management determinations. Ecology offers the following clarifications to the bulleted listing in its February 23<sup>rd</sup> letter:

Bullet 1:

This requirement focuses on wastes generated from a "process" and is not meant to require sampling and analysis for waste streams that are accurately and completely described otherwise. For the purposes of this letter, a process is considered to be an activity with chemical inputs resulting in products and/or waste streams. Examples of waste streams not associated with a process that may not require laboratory analysis, so long as they are accurately and completely described, include unused chemical products in their original container, debris waste, and listed wastes unless they also designate as characteristic waste.

Bullet 2:

Ecology considers chemical screening to be an activity that involves the use of field instruments lacking the precision and accuracy of laboratory equipment and procedures. Field screening typically does not meet Resource Conservation and Recovery Act (RCRA) quality control/quality assurance (QA/QC) requirements. Therefore, reliance on field screening is normally not an adequate basis on which to make regulatory waste determinations. The testing methods required for designation of waste are found in Washington Administrative Code (WAC) 173-303-110. Therefore, if alternative methods to WAC 173-303-110 are to be used to determine if a waste designates hazardous or extremely hazardous, prior approval by Ecology will be required.

Bullet 4:

If a generator's process has constituent inputs to it that may designate as hazardous waste but are not expected to be in the waste resulting from that process, then laboratory analysis of the waste must be obtained at least initially to confirm that the waste does not contain these constituents. A mass balance determination may be employed during subsequent verifications of the waste streams from this process, so long as the process is continuously documented to demonstrate it has not changed. This documentation must be maintained in the facility's operating record and provided upon request.

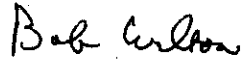
Bullet 5:

As described in the clarification to bullet #1 above, this requirement focuses on wastes generated from a "process" and is not meant to require sampling and analysis for waste streams that are accurately and completely described otherwise. Examples of waste streams that may not require laboratory analysis, so long as they are accurately and completely described, includes waste generated from spills of known materials that are expeditiously cleaned up and managed per all applicable hazardous waste requirements.

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If you have any questions regarding this letter, please feel free to contact me at (509) 736-3031.

Sincerely,

A handwritten signature in cursive script that reads "Bob Wilson".

Bob Wilson, Compliance Specialist  
Nuclear Waste Program

BW:sb

cc: Craig Cameron, EPA  
James Rasmussen, USDOE  
Russell Wyer, BHI  
Mary Lou Blazek, OOE  
Administrative Record: